

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

GELACIO-CORTEZ-SILVA,

Defendant.

CASE NO. 07-171M

DETENTION ORDER

Offense charged:

Illegal Reentry After Deportation, in violation of Title 8, U.S.C., Section 1326(a).

Date of Detention Hearing: April 4, 2007

The Court, having conducted an uncontested detention hearing pursuant to Title 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which the defendant can meet will reasonably assure the appearance of the defendant as required and the safety of any other person and the community. The Government was represented by Don Reno. The defendant was represented by Robert Gombiner.

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FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant is a resident of Mexico who has been previously deported.

The Bureau of Immigration Customs and Enforcement (BICE) has filed a detainer against him.

(2) Defendant is viewed as a risk of danger due to his criminal history, which includes prior convictions for assault.

(3) The defendant stipulates to detention at this time.

Based upon the foregoing information, it appears that there is no condition or combination of conditions that would reasonably assure future Court appearances and/or the safety of other persons or the community.

It is therefore ORDERED:

(1) The defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

(2) The defendant shall be afforded reasonable opportunity for private consultation with counsel;

(3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which the defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

1 (4) The clerk shall direct copies of this order to counsel for the United
2 States, to counsel for the defendant, to the United States Marshal, and to
3 the United States Pretrial Services Officer.

4 DATED this 6th day of April, 2007.

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7 MONICA J. BENTON
8 United States Magistrate Judge
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